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Attorneys for Kayla Ruhnke, and E.R., a Minor,
Administrative Creditors

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:
PG&E CORPORATION,
and
PACIFIC GAS AND ELECTRIC COMPANY,
Debtors.
· Affects PG&E Corporation
· Affects Pacific Gas and Electric Company
☒ Affects both Debtors
* All papers shall be filed in the Lead Case,
No. 19-30088 (DM).

Case No. 19-30088 (DM)
Chapter 11
(Lead Case – Jointly Administered)
Date: March 25, 2020
Time: 10:00 a.m.
Place: U.S. Bankruptcy Court
450 Golden Gate Ave., 16th Fl.
Ct. 17
San Francisco, CA
Judge: Hon. Dennis Montali

**DECLARATION OF JONATHAN GERTLER IN SUPPORT OF:
(1) REQUEST FOR ALLOWANCE OF ADMINISTRATIVE EXPENSE CLAIM
OF KAYLA RUHNKE AND E.R., A MINOR, PURSUANT TO 11 U.S.C. § 503(b)(1)(A);
AND (2) MOTION OF KAYLA RUHNKE AND E.R., A MINOR, FOR
DETERMINATION THAT THE AUTOMATIC STAY IS INAPPLICABLE,
OR ALTERNATIVELY, FOR RELIEF FROM THE AUTOMATIC STAY**

I, JONATHAN GERTLER, declare:

1. I am a duly-admitted attorney licensed to practice law in all the courts in the State of California, and the principal of Jon Gertler Law, A Professional Corporation, State Court counsel for administrative creditors KAYLA RUHNKE (“Mrs. Ruhnke”) and E.R., her minor son (“E.R.”)

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1 together with Mrs. Ruhnke, the “Ruhnkes”). In such capacity, I am personally familiar with each of
2 the facts stated herein, to which I could competently testify if called upon to do so in a court of law.

3 2. I make this declaration in support of the: *Request For Allowance Of Administrative*
4 *Claim Of Kayla Ruhnke And E.R., A Minor, Pursuant to 11 U.S.C. § 503(b)(1)(A); and Motion Of*
5 *Kayla Ruhnke And E.R., A Minor, For Determination That The Automatic Stay Is Inapplicable, Or*
6 *Alternatively, For Relief From The Automatic Stay* (the “Motion”),¹ filed in the chapter 11 case of
7 PG&E CORPORATION and PACIFIC GAS AND ELECTRIC COMPANY (collectively, the
8 “Debtors”).

9 3. Prior to July 2019, in the City and County of San Francisco, California, debtor
10 PACIFIC GAS AND ELECTRIC COMPANY (“PG&E”) entered into contractual arrangements for a
11 large fire reconstruction projects in Northern California. This included contracting with safety and
12 electrical contractors, Quanta Services, Inc. and its division PAR Electrical division, and Atlas
13 Services, Inc., respectively, and others, to perform various electrical construction and construction
14 project safety work on projects in northern California.

15 4. As part of the aforementioned contractual arrangements, PG&E assumed control of
16 the construction sites, set safety rules and mandated safety practices, hired and supervised safety
17 consultants, and otherwise participated actively and controlled the project sites, including the site
18 where Mr. Ruhnke was employed by Quanta Services, Inc. dba PAR Electrical at the time of his
19 death.

20 5. PG&E so negligently and carelessly controlled the subject projects, including but not
21 limited to the contractors and their work, the premises, the safety practices and the materials, that on
22 or about July 22, 2019, Logan Ruhnke fell to his death while working on the subject projects.

23 6. In the wake of Mr. Ruhnke’s tragic death, the Ruhnkes intend to file a complaint for
24 wrongful death based upon negligence and strict product liability, naming, *inter alia*, the Debtors,
25 Atlas Services, Inc., A.B. Chance Co. and possibly others (the “Complaint”) in the San Francisco
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28 ¹ All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

1 Superior Court (the “State Court”). The Ruhnkes will assert their right to a jury trial in the State
2 Court in this wrongful death case.

3 7. As the Ruhnkes’ counsel in the State Court case, I estimate that the case could be
4 ready for trial in approximately late 2021. Given E.R.’s young age, under California state law, the
5 case is eligible for trial preference pursuant to Cal. Code Civ. Proc. § 36(b).

6 8. By way of the Complaint, the Ruhnkes will seek an amount exceeding \$5 million in
7 damages (the “Damages”) against the defendants, including the Debtors, based on their economic and
8 non-economic losses. The Damages are the basis of the administrative expense priority claim which
9 the Ruhnkes assert against the Debtors (the “Damages Claim”).

10 9. I declare under penalty of perjury that the foregoing is true and correct, and that this
11 declaration was executed on February 24, 2020, at San Rafael, California.

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13 /s/ Jonathan Gertler
14 Jonathan Gertler
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